

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at WINCHESTER

| | | |
|--------------------------|---|--------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Case No. 4:10-cr-8 |
| v. |) | |
| |) | MATTICE / LEE |
| JONATHAN NABOR AGUILAR |) | |

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts One, Two and Three of the three-count Indictment; (2) accept Defendant's plea of guilty to Counts One, Two and Three of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Counts One, Two and Three of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [Doc. 31]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 31] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Counts One, Two and Three of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Counts One, Two and Three of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One, Two and Three of the Indictment;

- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Monday June 28, 2010 at 2:00 p.m.** [EASTERN] before the Honorable Harry S. Mattice, Jr.

SO ORDERED.

ENTER:

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE